

Joint Status Report Pursuant to Rule 26(f)

Caption: Arbutus Biopharma Corporation and Genevant Sciences GmbH v. Moderna, Inc. and ModernaTX, Inc.

Civil Action No: 22-252

Basis of Jurisdiction: 28 U.S.C. §§ 1331, 1338(a)

Jury Trial: ✓ Non-Jury Trial: Arbitration:

Plaintiff's counsel participating in the Rule 16 Conference: Karen Keller, Daralyn J. Durie, David I. Berl, Shaun P. Mahaffy

Defendant's counsel participating in the Rule 16 Conference: Brian Egan, James Hurst, Patricia Carson, Mark McLennan

Do counsel have full authority to settle at Rule 16 Conference? Yes

If not, client with such authority who will attend conference: N/A

When did the parties hold the Rule 26 Conference? December 20, 2022

When did the parties comply with Rule 26(a)'s duty of self-executing disclosure? See Proposed Scheduling Order ¶ 1

Does either side expect to file a case-dispositive motion? See Proposed Scheduling Order ¶ 14 (yes/no)

If yes, under what Rule See Proposed Scheduling Order ¶ 14

If yes, specify the issue See Proposed Scheduling Order ¶ 14

Proposed deadline for filing dispositive motions: See Proposed Scheduling Order ¶ 14

Does either side anticipate the use of experts? Yes

If yes, what is the proposed deadline for expert discovery? See Proposed Scheduling Order ¶ 7(f), Ex. A

Approximate date case should be trial-ready: See Proposed Scheduling Order ¶ 19, Ex. A

Time for Plaintiff's case: See Proposed Scheduling Order ¶ 19, Ex. A Time for Defendant's case: See Proposed Scheduling Order ¶ 19, Ex. A

Is a settlement conference likely to be helpful? No If so, when:

Early N/A (yes/no) After Discovery N/A (yes/no)

What is the outcome of your discussions with your clients about proceeding before a Magistrate Judge for final disposition? The parties do not consent to proceeding before a

Magistrate Judge for final disposition.

Plan for Discovery:

1. The parties anticipate that discovery should be completed within 433 to 554 days.
2. What is the minimum amount of time necessary to complete discovery prior to an ADR session, should one be ordered or agreed to? 433 to 554 days.
3. Have the parties discussed issues relating to claims of privilege or of protection as trial-preparation material, as required by Rule 26(f)(3)(D)? Yes
4. Identify any other discovery issues which should be addressed at the Rule 16 Conference, including limitations on discovery, protective Orders needed, or other elements which should be included in a particularized discovery plan. The parties have disputes regarding final contentions, expert supplementation, trial length, and the case schedule.
5. If you contend the discovery period should exceed 90 days, please state reason:
The scope of document production, number of witnesses, and expert discovery necessitate a discovery period of more than 90 days.

*This form should be faxed to Chambers at 267-299-5056 or
Emailed to chambers at goldberg_chambers@paed.uscourts.gov*